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SPECIAL OPERATIONS ENHANCEMENT-A LEGISLATIVE APPROACH

An Individual Study Project  
Intended for Publication

by

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# ABSTRACT

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The FY 1987 Defense Authorization Bill included legislation that directed a major organizational change for U.S. special operations forces that was designed to enhance U.S. capabilities to face low intensity conflict threats. This legislation was unique in that it directed the formation of a unified combatant command, a new Assistant Secretary of Defense, and a Board for Low Intensity Conflict within the NSC. The paper briefly examines the relationship of SDF to low intensity conflict, and then attempts to answer three questions: Why did Congress feel compelled to enact the legislation? What was the rationale behind the final structure, and why was Congress so specific in the language? And, what are the policy implications of the legislation? The legislation, and the events leading up to it, provide a useful study of Congressional-military relations.



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## INTRODUCTION

The Fiscal Year 1987 National Defense Authorization Bill included legislation that directed a major re-organization and structuring of the Department of Defense's special operations forces (SOF). Specifically, the legislation mandated the formation of a unified combatant command for special operations, creation of an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SO-LIC), and the establishment of a board for Low Intensity Conflict within the National Security Council. This legislation was the product of separate bills introduced by both the House and the Senate with the legislation largely taking the form of the Senate version.

This legislation, while perhaps not revolutionary, certainly represents a distinct departure from past Congressional actions, and is of interest in studying Congressional - military and Congressional - administration relations for a variety of reasons. First, it marks the only time since the initial legislation in 1947 that Congress has directed the formation of a unified combatant command. This was done over the strong objections of both the administration and the Department of Defense and goes some way in pointing up a difference between an influential group of bi-partisan legislators and the administration over policy towards unconventional warfare and low intensity

conflict. The legislation is also unusual because of its specificity in many areas that would normally have been left to DOD to implement. Lastly, it is notable because it instructs the administration to form a specific board in the National Security Council and is thus directly involved in the organization of the President's personal staff.

This paper proposes to study the SOF legislation in the 1987 Defense Authorization Bill, the events leading up to its enactment, and the policy implications of the resulting organizational structure. In doing so, the paper will address the following questions: Why did Congress feel compelled to enact this legislation? What prompted a bi-partisan group of Congressmen to take up an issue that has no real constituency? Second. What was the rationale behind the organizational structure in the final legislation? Why was Congress so directive and specific in the language? Third. What are the policy implications of this legislation? Is this an exception, or is it the beginning of extensive Congressional involvement in operational matters?

The paper will not examine the implementation of the legislation by DOD or any of the on-going bureaucratic battles. It will focus on the legislation itself and the events leading up to it, and will concentrate on the Congressional side in order to try and better understand current Congressional-military relations.

## SPECIAL OPERATIONS and LOW INTENSITY CONFLICT

Before addressing the questions above, it is useful to briefly discuss special operations and low intensity conflict in the past thirty years as a basis for examining the legislation and the circumstances surrounding it.

The first step in this brief examination of special operations and low intensity conflict must be to understand the terms and the context in which they are being used. Unfortunately, special operations and low intensity conflict are often used interchangeably as if they are one in the same.

Low intensity conflict (LIC) describes an environment in which a particular type of conflict occurs. In this type of conflict, a variety of forces, both civilian and military, may be used in concert to achieve political, social, or economic objectives.<sup>1</sup> What then are the parameters of low intensity conflict? A fairly narrow definition of the parameters would identify three primary missions within LIC: counterinsurgency, insurgency/resistance, and counterterrorism.<sup>2</sup> A broader set of parameters would find four identifiable missions in LIC: insurgency/counterinsurgency, counterterrorism, peacetime contingency, and peacekeeping operations.<sup>3</sup>



On the other hand, special operations is a capability that normally requires specially organized, trained, and equipped forces that can be employed anywhere in the conflict spectrum, from low to high. A definition that might be useful in understanding special operations is:

"Small scale, clandestine, covert, or overt operations of an unorthodox and frequently high risk nature undertaken to achieve political or military objectives in support of foreign policy. Special operations are characterized by either simplicity or complexity, by subtlety and imagination, by the discriminate use of violence, and by oversight at the highest level. Military and non-military resources, including intelligence assets, may be used in concert."4

Thus, LIC and SOF are clearly not interchangeable terms. SOF provides a capability that has a primary application in the LIC environment. SOF should be a key military element in any of the LIC missions discussed and should also be committed early in the conflict.

The history of low intensity conflict in U.S. national security policy for the past twenty-five years is instructive, if not depressing. Immediately after his inauguration, President Kennedy began to push for an effective counterinsurgency policy and with it the doctrine, forces, and training to accomplish that strategy. He said:

"There is another type of war, new in its intensity, ancient in its origins - war by guerrillas, subversives, insurgents, assassins; war by ambush instead of combat; by infiltration instead of aggression, seeking vic-

tory by eroding and exhausting the enemy instead of engaging him...it requires in those situations where we must counter it...a whole new strategy, a whole different kind of force, and therefore a new and wholly different kind of military training."5

This "revolution from above" immediately ran into opposition from the military and particularly from the Army because it would bear the brunt of counterinsurgency. By 1965, it had become the "revolution that failed".6 A deep-seated conventional mindset within the senior military leadership gave only lip service to President Kennedy's desires while continuing with the attitude that the capabilities required to fight a mid or high intensity conventional war were adequate to prosecute a smaller low intensity one.7

Coming out of Vietnam, the U.S. wholeheartedly focused its efforts towards preparing for a conventional war in Europe. The only deviation from this came with the formation of the contingency force, now CENTCOM, for Southwest Asia, but it still reflected the idea that the U.S. would be facing a large Soviet force. During the 1970's, U.S. capabilities to fight in a low intensity environment were heavily cut until they had "withered into virtual uselessness".8 This was true not only of the military, but the government as a whole, with the Central Intelligence Agency being gutted of its paramilitary and human intelligence capabilities. The familiar refrain of "no more

Vietnams" became a reality not only because of strong antipathy towards unconventional conflicts in the military, but throughout the government and civilian sectors.

Beginning in 1981, the Reagan Administration called for an upgrade of SDF capabilities and an emphasis on insurgency/counterinsurgency as a major strategy in confronting Soviet activities in the Third World. Despite this call from the top, there has been only modest progress and this has been largely in the SDF. Perhaps the greatest progress has been in U.S. counterterrorist capabilities, but supporting assets, and in particular, SDF airlift, remain inadequate and the subject of continuous bureaucratic battles over priorities and funding. By some accounts, the budget for SDF has more than tripled from 1981 to the present, but much of it has gone towards upgrading SDF's capability to support the CINCs in the prosecution of their conventional war plans.<sup>9</sup> There is no real consensus among policy makers on how to respond to low intensity challenges nor is there any consensus that the U.S. should actively prepare for such conflict. El Salvador is a case in point. Considerable uncertainty on how to address the problem complicated establishing a coherent strategy within the Administration and triggered vocal opposition to what evolved as U.S. policy. Congress was actively involved and legislated a number of restrictions on U.S. policy so as to limit involvement and protect against "another Vietnam".

## REASONS FOR LEGISLATION

Why then did Congress feel compelled to enact the special operations legislation, and why also did a bi-partisan group take up an issue that had no real constituency? There is no one specific reason or event that triggered it, but more an accumulation of events over time that legislation was critically needed. Part of the answer may be found in two areas - the most likely threat to U.S. interests and security for the foreseeable future, and the track record of the U.S. in special operations and low intensity conflict in the last two decades.

First, no national security strategist or specialist can predict with a high degree of certainty what form future conflict will take. However, there is enough evidence currently to make an informed guess. The Soviet Union has, since the early 1970's, pointedly increased its involvement in, and support of, low intensity conflicts. It has done this both directly and indirectly through surrogates such as East Germany, Czechoslovakia, Bulgaria, Cuba, Syria, Libya, North Korea, and others. And along with this, their ability to project power has increased markedly in the past twenty years.<sup>10</sup>

Although Soviet activity has increased, the prospect of a direct confrontation between U.S. and Soviet forces, especially in Europe, remains the least likely

possibility.<sup>11</sup> What is far more likely is the engagement of client or surrogate forces of one against those of the other. Or, as in Vietnam and Afghanistan, the forces of either the Soviet Union or the U.S. against an insurgent force backed by the other. Secretary of State George Shultz was blunt about the subject when he said:

"Low intensity conflict is the prime challenge we will face, at least through the remainder of this century. The future of peace and freedom may well depend on how effectively we meet it."<sup>12</sup>

On-going conflicts that are examples of this include El Salvador, Nicaragua, Peru, Thailand, Cambodia, Philippines, Angola, Ethiopia, and Afghanistan. Add to this the constant threat of international and state-sponsored terrorism and it is not hard to understand Secretary Shultz's concern.

This then was the sensing of a number of members of Congress in 1986, and in particular a core group of influential members that included Senators Nunn, Cohen, Kennedy, and Rudman, and Representatives Daniel, Bennet, Hutto, and Kasich. The U.S. was facing low intensity conflict as the most likely form of conflict in the future with the good possibility that this threat would intensify instead of recede. The second factor at work was the perceived U.S. capability to conduct special operations in a low intensity environment.

In 1985, the Army initiated the Joint Low Intensity Conflict Project that included not only members of the military, but had support and participation from the Department of State, JCS, and the CIA. The final report was issued in 1986 and was highly critical of U.S. ability to face the challenge of LIC or political violence short of conventional war. The report begins by saying:

"Four themes prevail throughout the report: As a nation we do not understand low intensity conflict; we respond without unity of effort; we execute our activities poorly; and we lack the ability to sustain operations."<sup>13</sup>

The report goes on to expand on each of the four themes, but two common threads run throughout. First, although LIC is the most likely threat, the U.S. has no coherent strategy for dealing with it. Secondly, the U.S. mindset, and thus preparation, is towards conventional mid to high intensity conflict, and there are consistent efforts to apply conventional solutions to unconventional challenges. The report summary says:

"Our interests are being threatened with alarming frequency by various forms of political violence subsumed under the heading of low intensity conflict...Our current defense posture reflects our inability to understand the form and substance of this direct challenge to our interests...Short of war, we have no strategy or comprehensive plan to address the challenges of political violence...We will need the courage to depart from conventional institutional norms and the vision to maintain a pragmatic defense

posture increasingly relevant to a world characterized by neither war nor peace."14

While this report re-affirmed the conviction by members of Congress that not only was there a low intensity threat, and that there were serious systemic and organizational shortcomings in addressing it, there were some other factors.

The U.S. record in special operations over the past twenty years is not one of success. Disregarding the Vietnam experience, there were a series of events that drew the attention of Congress because of their high visibility, and in a number of them, their failure.

The U.S. attempt to free the hostages in Iran in 1980 ended in failure at Desert One. The operation was daring, complicated, and beset with problems from the start. The Holloway report lays out these problems in detail, but it is worth reviewing some key points. First, there was no in-place organization or command and control structure in place to plan, train-up, and execute the mission. Forces had to be pulled together from the separate services and prepared from scratch. There was also the question of the mix of forces and whether service interests entered into the choice. Whatever the case, it took six months to prepare for the mission that ended short of the objective with a loss of life, and a serious blow to U.S. prestige, morale, and international standing.

Next came the U.S experience in Lebanon in 1983 that ended in withdrawal after 241 Marines were killed in a terrorist bomb attack. That the attack came as a surprise is obvious, but there is evidence that perhaps it should not have been. In 1986, Mr. Noel Koch wrote a number of Congressmen a letter in which he charged that he tried to alert the JCS to the possibility of a changing terrorist threat as reported by a special operations survey team in Beirut, but was ignored. He contends that distrust of SOF and a convoluted command structure may well have contributed to the loss of the Marines.<sup>15</sup>

Almost concurrent with the Beirut bombing, the U.S. mounted the Grenada operation to rescue the medical students and restore order to the island. The operation was a success, but there were numerous problems associated with that success. Initial planning for the operation called for it to be an SOF operation, but as events unfolded, other Army and Marine units were involved and the SOF plan was co-opted. Integration of the SOF and conventional units was poor from the start and severely hampered by excessive operational security. During the actual conduct of the operation, it has been reported that the Delta Force was unable to accomplish its mission and suffered a number of casualties in the attempt; the SEALs had limited success, but also took casualties; and the supporting SOF helicopters had high losses in the initial assault. The Rangers, who



were credited with a daring parachute assault and quick seizure of their initial objectives, were called on the second day to rescue a large group of U.S. students whose existence and location was unknown until the assault, which could have proved disastrous had they been threatened.<sup>16</sup> These reports suggest that U.S. forces again suffered from inadequate intelligence, and that as planning progressed, SOF capabilities, such as night operations, were restricted in order to accommodate the conventional forces.

In the Achille Lauro hijacking incident, there are reports that the Administration ordered SEALs to free the shipboard hostages, but that the SEALs were delayed by repeated breakdowns of their transport aircraft from the U.S.. When they finally arrived at the scene, the hostages had been released and one American was dead.<sup>17</sup>

This is not to say that SOF were incapable or ill-prepared during this period. There were undoubtedly successes that have not been reported or leaked, but Congress was left with the impression that while the forces themselves are well trained, the organizational structure, command and control, and support were inadequate.

Congress is not a monolithic organization with a single corporate will and direction. It goes without saying that not all members who voted for this legislation had strong opinions on SOF or LIC, or even had passing knowledge of them. What was key here was the small group of Senators and

Representatives who took up this issue and why. As with most legislation, who introduces it and who are the co-sponsors are the key to the progress of the legislation. Although the Senate bill (S2453) and House bill (HR5109) took different approaches, the result was conceptually the same.

During 1986, as each bill was being worked on in committee, a series of events occurred that in some cases were not related, but all served to prompt or reinforce the will of these Members to act. The first was the on-going legislative effort to reorganize the DOD - the Goldwater-Nichols Act. Extensive hearings were held on a variety of subjects, some of which related to SOF and LIC, and the SASC issued a detailed report that formed the basis of the legislation. A number of issues in the report such as limited integration at DOD's policy-making level, failure to adequately implement the concept of unified command, and lack of strategic goals, all served to highlight problems with SOF and LIC.

The final influence on the Congress that merits discussion was the testimony before both the HASC and the SASC of a number of prominent officials, both active and retired, who had expertise in special operations and LIC. In general, these men provided broad and credible support to Congress' attempt to highlight deficiencies in SOF and LIC and to attempt to correct these deficiencies through legislation. Among many who testified were General Edward Meyers, General

Robert Kingston, General Richard Stillwell, Lt Gen Samuel Wilson, Mr. William Colby, and Professor Richard Shultz.

However, there were two testimonies that came at an important juncture and had a heavy influence on both committees. The first was the testimony by retired Maj. Gen. Richard Scholtes who was the commander of the Joint Special Operations Command (JSOC) at the time of the Grenada operation. The majority of this testimony was classified and the exact content is not known; however, it dealt in large part with the problems SOF had in Grenada and the reasons for them. Maj Gen Scholtes' testimony had a profound impact on members of both committees, and Senator Nunn referred to the testimony as "profoundly disturbing to say the least". Senator Cohen credits this testimony as the key toward persuading him to move strongly for the legislation.<sup>18</sup>

The other testimony actually came in the form of a letter from Mr. Noel Koch to various members of Congress. Mr. Koch had recently resigned as the senior DOD official with responsibility for special operations and counterterrorism. He wrote a lengthy letter detailing his experiences trying to enhance SOF capabilities in DOD and the many roadblocks and difficulties he encountered. He commented on the contentious issue of SOF airlift and the resistance by the Air Force to a meaningful up-grade despite specific guidance from Congress. He then described his frustration at trying to brief the JCS on the changing

nature of the terrorist threat to the U.S.. and now a special survey team that had been in Beirut prior to the bombing of the Marine barracks had warned of the turn from hostage-taking to large bombings. He then went on to detail what he termed the entrenched resistance in both the JCS and DOD in the organizational or command and control structure for SOF and says: "I am watching the same predominately selfish interests at work, and I have no doubt that their success can only lead somewhere, sometime to a replay of Beirut, October 23".19

In summary, a small group of Senators and Representatives, with high credibility, served as the catalyst for Congress in enacting the legislation to enhance the capabilities of SOF. They were influenced by a variety of factors beginning with the belief that low intensity was the most likely threat, and that U.S. capabilities to counter this threat were inadequate. The evidence of past failings, along with some pointed testimony about operations that occurred well into the 1980's, and combined with a mood for reform and reorganization, resulted in a strong push for legislation and enactment in October 1986.

#### RATIONALE FOR THE CONTENT

The next question to address is what was the rationale for the content of the final legislation? Why did Congress

opt for the organizational structure that resulted, and why were they so specific in the final language of the bill? It will be helpful to look first at the different approaches that the House and Senate each took, and then briefly look at the final legislation before examining the rationale behind the specific aspects of the legislation.

The House version of the bill (HR5901) called for establishing a National Special Operations Agency within DOD headed by a civilian director who would report directly to the Secretary of Defense. The House, under the leadership of Representative Dan Daniels, conducted extensive hearings that went on for more than two years. The House panel concentrated on special operations and did not examine the larger issue of low intensity conflict. They were also more pessimistic about SOF reform within DOD, and were less inclined to accommodate DOD initiatives on SOF enhancement. In fact, Representative Daniels' initial proposal in 1985 was for the formation of a sixth service specifically for special operations.<sup>20</sup> The House approach was to take special operations and its forces as far out of conventional military command and control as possible and, as opposed to changing the system, get SOF away from the system.

The Senate bill (S2453) had a broader scope because it not only proposed to enhance SOF, but to try and integrate planning and preparation for LIC within the government. Why did the Senate version include LIC and the House version

not? One reason is that the House had separate panels looking at special operations and DOD reorganization and reform, whereas in the Senate, one panel was looking at both issues, and it was thus easier to connect them. The Senate bill called for a unified combatant command with a four star commander, an Assistant Secretary of Defense for civilian oversight, and a National Security Council board for integration and policy coordination. The issue of the NSC board reflected the broader approach of the Senate, and its desire to address the problem of low intensity conflict policy coordination through the most appropriate agency, the NSC. Also, by having an Assistant Secretary of Defense, this added increased special operations and LIC advocacy within DOD.

Both bills passed their respective chambers and went to conference in October 1986. The final legislation arrived at by the conferees reflected the Senate version almost in toto with the exception of a House provision to give budget authority to the new unified command CINC. The Senate version prevailed for the most part for two reasons. First, it was closer than the House bill to the latest DOD proposal put forth in an effort to head off binding legislation, and thus represented the hint of a consensus that in turn might reduce some of the bureaucratic resistance to implementation. Second, and more importantly, the House bill ran counter to many of the major aspects of the

Goldwater-Nichols Act, which was just being completed. The House proposal for a separate agency would have been in conflict with strengthening the unified combatant CINCs and enhancing the authority of the Chairman of the JCS. Senator Nunn was particularly concerned about the effect of a separate agency and said, "It does go against integrating those forces in the command structure. It would be separate from the command structure and I am very dubious about that."<sup>21</sup>

Congress, by its own admission, was unusually specific in the legislation. What prompted this specificity and involvement in details that would not normally have been addressed? The Joint Explanatory Statement issued by the conferees gives a good sense of the thinking of the Members:

"The conferees carefully considered the degree of specificity to include in this provision. Although several elements of this provision are more specific than may normally be expected in legislation, the conferees determined that the seriousness of the problems and the ability or the unwillingness of the Department of Defense to solve them left no alternative. The action of the conference committee is fully consistent with the power provided in the Constitution for the Congress 'to provide for the common defense.' The conferees determined that the failure to act forcefully in this area and at this time would be inconsistent with the responsibilities of the Congress to the American people."<sup>22</sup>

One issue that drove specificity in the final bill was the strong opposition to the legislation by DOD. From the

early hearings by the House panel up to the days before the final legislation was passed, DOD opposed the concept of a separate command or agency for special operations. DOD opposition did not really solidify until the summer of 1986 when both the House and Senate had introduced their respective bills. Both DOD and Administration officials stressed the need for an internally generated "fix" for SOF as opposed to a Congressionally directed one.

When it became apparent in summer 1986 that there well might be legislation of some sort, DOD proposed a Special Operations Forces Command that they contended was very similar to the intent and spirit of the Senate bill. There were some significant differences in that the DOD proposal called for command headed by a three star flag, not a unified command headed by a four star CINC. In addition, there would not be a separate Assistant Secretary of Defense, and no provision for representation on the NSC. In testimony, Mr. Richard Armitage, Assistant Secretary of Defense for International Security Affairs, stated that binding legislation would serve to isolate SOF from the rest of the military, while DOD wanted to insulate them.<sup>23</sup>

The Members became convinced that despite recent positive action and statements from the Chairman of the JCS, Admiral William Crowe, there remained significant opposition to the enhancement of SOF, and there was too much possibility of a roller-coaster priority effect. Without an



institutional advocacy, SOF priority might well revert to being personality dependent.

A continuing source of frustration and thus an impetus for specificity was the issue of SOF airlift. Congress had continually pressured DOD to raise the priority of SOF airlift and establish a long term plan for acquisition and funding. Congress directed DOD to include SOF airlift in the FY87-91 Five year Defense Plan, but later charged that DOD had re-allocated funds and removed SOF airlift from the Five year Plan. Mr. Koch, in his letter to Members, referred to the lack of priority of SOF airlift and what he termed the inadequate readiness status of Air Force special operations aircraft.<sup>24</sup>

The issue of SOF airlift and what Congress felt was DOD intransigence even in the face of mandated requirements, serves to illustrate why there was unusual specificity in the final legislation. Their intent was to institutionalize the priority of SOF in the face of strong opposition within DOD, and not rely on shifting priorities of different officials or administrations.

#### POLICY IMPLICATIONS

The last question to address is what are the policy implications of this legislation? Is it an exception, or is it the beginning of a new era of Congressional involvement in national security operational matters? An aspect to the

question is to what degree is there a difference in attitudes and priorities between Congress and DOD over special operations and LIC?

Vietnam was a watershed for the U.S. military, and the end of that war stimulated a preoccupation with the conventional environment of Europe. Another consequence was that the perception of military capabilities and the policies within which they can be employed have clearly been linked to conventional conflicts.<sup>25</sup> In the drive to avoid another Vietnam, the path taken for the most part has been to ignore the lessons of that conflict rather than to study seriously low intensity conflict. While SOF has clearly received increased priority during the Reagan Administration, with an increase in its budget from 441 million dollars in 1981 to 1.6 billion dollars in 1987, much of this increased spending has gone towards deep penetration airlift, which has a primary focus of supporting SOF in a conventional war. There is also a body of opinion in the military leadership that feels that special operations are most often a capability, rather than a mission. Therefore, general purpose forces, with some additional training and equipment, should be able to conduct special operations.

The Congressional view is that special operations is a mission that has been inadequate in the past. They will point to repeated failures to support their conviction that special operations must be an assigned mission. They are

also looking for an institutional solution for integrating low intensity efforts that include more than just the military.

What then does this legislation say about Congress' willingness to get involved in operational matters? This is the first time that Congress has directed the formation of unified combatant command, what forces will be assigned, and what missions it will have. The Administration raised a late Constitutional issue when Adm. John Poindexter, then the President's National Security Advisor, wrote to the cosponsors of the legislation and said:

"I urge you to reconsider the need for this restrictive detailed legislation on this sensitive issue...it would present potential constitutional problems because it would impermissibly limit the President's authority as Commander-in-Chief."26

It is not known whether the Administration was objecting to the unified combatant command, the NSC Coordinating Board, or both. The unified combatant command structure and the NSC were both established by law, and it was the Congressional position that they could further refine those structures without overstepping their Constitutional bounds. The Administration did not press this issue further.

It is difficult to predict future Congressional actions, but there are some indicators that should be considered. In January 1987, the SASC, under the leadership of Senator Nunn conducted a series of hearings on national

security strategy. The feeling was that Congress was intimately involved in the resourcing of national security, but that all sectors of government, from Congress to the DOD, were too consumed by the budgeting aspect of national security at the expense of its fundamental aspects - the ends, ways, and means. These hearings were not intended to produce any legislation but to emphasize a critical aspect that was usually lost in the yearly rush towards a budget. While they did not focus on SDF or LIC, the hearings served to heighten awareness among key Members on threats to national security and the means by which to address them. The clear indication here is that Congress, with the leadership of certain influential members, might well be taking a more activist role outside of the resourcing and budgeting arena. However, there is not enough evidence to point to a specific direction.

It is now obvious that DOD either did not fully understand Congress' concern about special operations or LIC or, more likely, they did not feel there was enough support in either chamber for binding legislation. Thus it was not until the summer of 1986 that DOD made a serious proposal for a **separate** command, and by that time the sentiment for binding legislation was building. Had there been more attention by DOD earlier in the chain of events, there may well have been only a sense of the Senate resolution. In

sum, there was a poor reading of Congressional frustration over SOF enhancement.

#### CONCLUSION

The legislation to enhance the capabilities of the U.S. to engage in low intensity conflict and improve special operations forces was unique in that it was an effort by Congress to not only focus on a likely threat to U.S. security, but to improve U.S. capabilities to face that threat. The final legislation was the result of Congressional frustration over perceived resistance by DOD to meaningful improvement of SOF, and was unusually specific in its language. An unfortunate history of special operations failures in the past ten years were a vivid reminder of the difficulty, sensitivity, and impact of special operations on U.S. national security and foreign policy. The difficulty of these past operations were further reinforced by the testimony of officials who were highly critical of the planning and command and control of the operations. This legislation, and the events leading up to it, is instructive because of the policy implications of binding legislation on a sensitive issue, and the effort by Congress to mandate an organizational solution to a conceptual and institutional problem. Since the legislation is a little more than a year old, it is too soon to evaluate

the impact on SDF, but the conceptual problems and institutional biases will not disappear quickly.

## ENDNOTES

1. The JCS definition of low intensity conflict is: "Low intensity conflict is a limited politico-military struggle to achieve political, social, economic, or psychological objectives. It is often protracted and ranges from diplomatic, economic, and psychosocial pressures through terrorism and insurgency. Low intensity conflict is generally confined to a geographic area and is often characterized by constraints on the weaponry, tactics, and level of violence."

2. Shultz, Richard H., Low Intensity Conflict and U.S. National Security. Testimony prepared for the Senate Armed Services Committee, P.4.

3. Executive Summary, Joint Low Intensity Conflict Project Final Report, 1 August 1986.

4. Barnett, Frank R. et al, Special Operations in U.S. Strategy, P.35.

5. Krepinevich, Andrew F., The Army and Vietnam, P.30.

6. Ibid, P.27.

7. Ibid, P.37.

8. Shultz, P.1.

9. Ibid, P.6.

10. Barnett, P.37.

11. Ibid.

12. JLIC Final Report, P.1.

13. Ibid, P.2.

14. Ibid, P.1.

15. Koch, Noel C., Letter to Members of Congress, September 1986.

16. Scholtes, Richard, Testimony before the Senate Armed Services Committee, 5 August 1986.

17. Shultz, P.1.

18. "SOF Reorganization", Armed Forces Journal International, September 1986, P.18.

19. Koch Letter, P.6.

20. "SOF Reorganization", Armed Forces Journal International, September 1986, P.18.

21. "Rep. Daniel's Bill", Armed Forces Journal International, August 1986, P.12.

22. Joint Explanatory Statement, S2453 and HR5901, 2 October 1986.

23. Armitage, Richard L., Testimony before the Senate Armed Services Committee, 5 August 1986.

24. Koch Letter, P.2.

25. Barnett, P.273.

26. Poindexter, John, Letter to Members of Congress, 1 October 1986.